

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

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## FREDERICK LAVELLE PAYNE,

Case No. 2:00-cv-01082-MMD-VCF

V-

Petitioner,

## ORDER

RENEE BAKER, et al.,

## Respondents.

On July 13, 2015, petitioner Frederick Lavelle Paine filed a notice pursuant to Fed. R. Civ. P. 41(a)(1)(A) that he voluntarily dismisses this action, and the second amended petition for writ of habeas corpus upon which this non-capital habeas corpus proceeding is based. (Dkt. no. 175.) The respondents have not responded to the notice or otherwise voiced their objection.

It therefore ordered that this action is dismissed without prejudice under Fed. R. Civ. P. 41(a)(1)(A). The Clerk shall entered judgment accordingly.

It is further ordered that a certificate of appealability is denied.

It is further ordered that all pending motions (dkt. nos. 154, 165, and 171) are denied as moot.

DATED THIS 22<sup>nd</sup> day of September 2015.



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MIRANDA M. DU  
UNITED STATES DISTRICT JUDGE